

Posted – August 28, 2013

REGULAR MEETING SEPTEMBER 3, 2013

TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND

The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on Tuesday, September 3, 2013 at 7:00 P.M. (6:00 PM. – EXECUTIVE SESSION) at the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island. All items on this agenda, with the exception of the Public Forum Session, may be considered, discussed and voted upon.

Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.

PLEDGE OF ALLEGIANCE TO THE FLAG

RECONSIDERATION

The Middletown Town Council follows the codification of present-day general parliamentary law as articulated in Robert's Rules of Order

Newly Revised 10th edition (2000), together with whatever rules of order the Council has adopted for its own governance. The motion to reconsider is one of the motions that can bring a question again before an assembly, and is designed to bring back for further consideration a motion which has already been voted on:

If, in the same session that a motion has been voted on, but no later than the same day or the next day on which a business meeting is held, new information or a changed situation makes it appear that a different result might reflect the true will of the assembly, a member who voted with the prevailing side can, by moving to Reconsider [RONR (10th ed.), p. 304-321] the vote, propose that the question shall come before the assembly again as if it had not previously been considered. (From Robert's Rules of Order Newly Revised In Brief, Robert, Evans et al., De Capo Press, 2004)

6:00 PM - EXECUTIVE SESSION

1. Pursuant to provisions of RIGL, Sections 42-46-2, 42-46-4 and 42-46-5 (a), (1) personnel (Town Administrator) and (5) land acquisition (Coddington Highway, Burma Road and West Main Road).

PUBLIC FORUM SESSION

2. Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting. All items discussed during this session will not be voted upon.

PRESENTATIONS

3. Resolution of the Council, re: Commendation for David Buckley.

4. Resolution of the Council, re: Commendation - Town of Portsmouth Celebrating its 375th Anniversary.

ACTING AS A BOARD OF LICENSE COMMISSION

5. Application of Custom House Coffee, LLC holder of a Retailer's Class BV Alcoholic Beverage License for premises located at 797 Aquidneck Avenue to expand service removing restrictions on the types of alcoholic beverages to be served and allowing the premises to remain open Sunday through Thursday until 10 pm for private functions for the 2012-2013 licensing year. (Requires Advertising for Public Hearing and notification to abutters)

6. Application of All Saints Academy, 915 West Main Road, for a Class F-1 Alcoholic Beverage License for use at the same premises - Event October 26, 2013.

7. Petition of Vilma Parsonage, Bar Manager and Mary Connor, Secretary, of All-Vets Club, 985 Aquidneck Avenue, re: Request for expansion of Class D Alcoholic Beverage License to provide outdoor service on Saturday, September 14, 2013, beginning at 4:00 pm, for the All-Vets Club annual Clam Boil fundraiser.

CONSENT

8. Approval of Minutes, re: Regular Meeting, August 19, 2013.

9. Memorandum of Finance Director, thru Town Administrator, with enclosures, re: FY2013 Budget Adjustments as of June 30, 2013.

10. Resolution of the Council, re: Approval of FY2013 General Fund Budget Adjustments.

11. Resolution of the Council, re: Approval of FY2013 School Department Budget Adjustments.

12. Resolution of the Council, re: Approval of FY2013 Parks & Recreation Fund Budget Adjustments.

13. Resolution of the Council, re: Approval of FY2013 Sewer Fund Budget Adjustments.

14. Resolution of the Council, re: Approval of FY2013 Refuse & Recycling Fund Budget Adjustments.

15. Memorandum of Finance Director, thru Town Administrator, with enclosures, re: Correction of legal entity name for Citizens Bank to RBS Citizens, NA on GAC Amendments #29 and #30.

16. Communication of Lincoln D. Chafee, Governor, re: Rhode Island Community Development Block Grant (CDBG) Program award.

17. Memorandum of Margarita H. Chatterton, Senior Sanitary Engineer, RIPDES Program/Office of Water Resources, re: Re-issuance of Rhode Island Pollutant Discharge Elimination System (RIPDES) General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) and from Industrial Activity at Eligible Facilities Operated by Regulated Small MS4s (MS4 GP).

18. Communication of Jamia R. McDonald, Executive Director, re: Biggert-Waters Flood Insurance Reform Act of 2012 – Insurance Outreach Meetings.

19. Communication of Safety Town Program, re: Appreciation for support of the Safety Town program.

20. Communication of Beth Larcom, re: Appreciation for support for travels to attend Camp Fulbright Junior Internship Program.

21. Communication of Barbara A. VonVillas, Ph.D., Middletown Town Council, with enclosure, re: Appreciation for meeting and discussing the process of school regionalization.

22. Resolution of the Jamestown School Committee, re: In support of the Development of a Representative Model of a Regional High School.

PERMIT

23. Application of All Saints Academy, 915 West Main Road, for a Special Event Permit for the ASA October Fest to be held on October 26, 2013, beginning at 12:00 noon until 6:00 pm. (Attached is a request to waive said fee)

OTHER COMMUNICATION

24. Communication of Robert A. Smith, P.E. , Deputy Chief Engineer,

Rhode Island Department of Transportation, Engineering Division, re: Reconstruction of Two Mile Corner (Routes 138/114) West Main Road – Commercial Street to Maplewood Road East Main Road – West Main Road to Bailey Brook Middletown, RI, RI Contract No. 93116, RIFAP No. AF-0138 (011), HPP-4958 (001).

COUNCIL COMMUNICATIONS

25. Memorandum of Councillor Rodrigues and Vice President Sylvia, re: Received Resolution – USS JFK.

26. At the Request of Councillor Rodrigues and Vice President Sylvia, Resolution of the Council, re: Support for the concept of bringing the Retired Aircraft Carrier USS John F. Kennedy to Newport County.

APPOINTMENTS TO BOARDS & COMMITTEES

27. Communication of Carmela A. Geer, re: Resignation from the Middletown Prevention Coalition.

28. Communication of Barbara Barrow, re: Resignation from the Open Space and Field Committee.

29. Memorandum of Town Clerk, thru Town Administrator, re: Stormwater Management Steering Committee (SMSC).

30. Email communication of Evan Smith, President & CEO, Discover Newport, re: Discover Newport Board appointees.

Wendy J.W. Marshall, CMC

Town Clerk

This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired should notify the Town Clerk's Office not less than 48 hours before this meeting.